

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

OREGON PACIFIC METAL
FABRICATION, LLC, an Oregon
limited liability company,

05-CV-1513-AS

Plaintiff,

ORDER

v.

JOSLIN GROUP, a Hawaii
corporation,

Defendant.

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BROWN, Judge.

Magistrate Judge Donald C. Ashmanskas issued Findings and Recommendation (#16) on January 30, 2006, in which he recommended this Court grant Defendant's Motion to Dismiss Plaintiff's First Amended Complaint or, in the Alternative, to Transfer Venue (#5). The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Ashmanskas's Findings and Recommendation (#16). Accordingly, the Court **GRANTS** Defendant's Motion to Dismiss Plaintiff's First Amended Complaint (#5) and

DISMISSES this matter **without prejudice**.

IT IS SO ORDERED.

DATED this 15th day of March, 2006.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge